

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

FIRESTAR DIAMOND, INC., *et al.*,

Case No. 18-10509 (SHL)

Debtors.  
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Jointly Administered

**ORDER MODIFYING THE AUTOMATIC STAY, TO THE EXTENT APPLICABLE,  
TO AUTHORIZE THE ADVANCEMENT AND PAYMENT OF COSTS AND FEES  
UNDER DIRECTORS AND OFFICERS INSURANCE POLICY  
TO FORMER OFFICER AJAY GANDHI**

In accordance with Court's Order dated September 28, 2018 allowing payments to be made under the CNA Policy for the benefit Ajay Gandhi former officer of Firestar Diamond Inc., A.Jaffe, Inc., Fantasay, Inc. (the "**Debtors**"), and the Order dated October 30, 2018 allowing payments to be made under the Beazley Policy on behalf of Mihir Bhansali former President and sole Director of Firestar Diamond Inc., A.Jaffe, Inc., Fantasay, Inc. (the "**Debtors**"), Ajay Gandhi requests entry of an order, pursuant to Section 362 of Title 11, United States Code (the "**Bankruptcy Code**"), authorizing Beazley Insurance Company, Inc. ("**BEAZLEY**") to advance and/or reimburse defense costs under and in accordance with the terms of the Beazley One Management Liability insurance policy (the "**D&O Policy**"), to or for the benefit of the Ajay Gandhi, for the reimbursement and payment of their defense, settlement, and other costs and fees incurred in connection with the Bankruptcy Claims,

Therefore based on the prior orders and the fact that Counsel for Trustee has not raised any objection,

**IT IS HEREBY ORDERED**, that

1. The Request is granted.

2. Ajay Gandhi is a Covered Person under the subject Insurance Policy.
3. The automatic stay imposed by 11 U.S.C. § 362(a) is hereby modified to the extent necessary to allow Beazley Insurance to advance and/or reimburse defense costs under and in accordance with the terms of the D&O Policy, to or for the benefit of the Ajay Gandhi, for the reimbursement and payment of their defense, settlement, and other costs and fees incurred in connection with the Bankruptcy Claims.
4. The entry of this Order shall not modify or otherwise alter the parties' rights and obligations provided under the terms and conditions of the D&O Policy, and all such rights, claims and defenses thereunder are expressly preserved.
5. This Order shall have immediate effect and shall not be subject to the stay set forth in Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure.
6. This Court shall retain jurisdiction with respect to all matters or disputes arising out of or relating to the Motion or the implementation of this Order.

Dated: June 14, 2019  
New York, New York

/s/ Sean H. Lane  
UNITED STATES BANKRUPTCY COURT